

THE UNITED STATES DISTRICT COURT
THE WESTERN DISTRICT OF PENNSYLVANIA

CARI GOODWINE)
Plaintiff)
vs.) Case No. 04-142E
PHB DIE CASTING)
Defendant)

Deposition of CARI GOODWINE, taken on Saturday,
February 12, 2005, at the law offices of Knox,
McLaughlin, Gornall and Sennett, 120 West Tenth Street,
Erie, Pennsylvania, commencing at 1:30 p.m., before
Linda K. Rogers, Shorthand Reporter and Commissioner of
Deeds in the Commonwealth of Pennsylvania.

For the Plaintiff:

Jeff A. Connelly, Esquire
824 Hilborn Avenue, Suite 1
Erie, Pennsylvania 16505

For the Defendant:

Richard A. Lanzillo, Esquire
Knox McLaughlin Gornall and Sennett
120 West Tenth Street
Erie, Pennsylvania 16501

* * *

1 C A R I G O O D W I N E, having been
2 previously duly sworn, testified as follows:

3
4 DIRECT EXAMINATION

5 BY MR. LANZILLO:

6
7 Q. Good afternoon, Mr. Goodwine. Thanks for coming
8 back in this afternoon to conclude your deposition. As we
9 discussed a couple weeks ago we were adjourning to
10 accommodate schedules, also I had requested some additional
11 documents, some logs and some other materials, and I will
12 ask you about those in a minute. But before we get into the
13 substance of your deposition I would just note as a reminder
14 to you and for the record, that this is a continuation of
15 your prior deposition and you remain under oath. Do you
16 understand that?

17 A. Yes.

18 Q. Mr. Goodwine, did you have an opportunity to look
19 for the logs and other documents that we discussed?

20 A. Somewhat. I have been working overtime and
21 getting home -- I found one of the pocket notebooks that I
22 had written some things in. I'm still trying to locate the
23 other.

24 Q. Did you happen to bring the one with you today?

25 A. Yes.

1 Q. Maybe I can take a look at that at a break at some
2 point. You know what, I will forget, so if you have it now
3 why don't we just throw it up on the --

4 A. First couple pages.

5 MR. LANZILLO: For the record, Mr. Goodwine has
6 handed me a small flip tablet it says Staples memo
7 book, it's one of the smaller memo pads about two
8 inches by four inches, with a green cover. I can
9 make copies of this. Would you have any objection
10 if I were to put an exhibit sticker on it just so
11 we can identify it?

12 MR. CONNELLY: No.

13 MR. LANZILLO: You will get your original back,
14 I'll just have copies made but that way there will
15 be an exhibit sticker.

16 MR. CONNELLY: That's fine.

17 (EX. 5 -- MEMO TABLET,
18 marked for identification.)

19 Q. Mr. Goodwine, I have marked the tablet you brought
20 into today as Exhibit 5 to your deposition. I want to go
21 through the notations here and ask you some questions about
22 them.

23 The notations appear to be dated, for example, the
24 first notation is dated Thursday, February 20. And reads,
25 quote, you know, Rob, we got to make it hard on them. Right

1 below that it says metal man, and below that there's another
2 reference, Friday on 600 plus 3 DCPO. When did you make
3 those notations? Would they have been made on the dates
4 indicated or is that a record you made after the fact?

5 A. That right there?

6 Q. Yes.

7 A. Was during the week of, that was a day or two
8 after. The other dates on there were made the dates that it
9 happened, when it happened, the previous following pages.

10 Q. The reference to metal man, what is that?

11 A. That was the job I was doing at the time of the
12 incident with Mr. Gephardt.

13 Q. This reference here, Friday on 600 plus 3 DCPO --

14 A. I wrote that down as a reference because following
15 the incident with Mr. Gephardt the 600 ton 3 is a machine
16 that's directly in front of his office. After the incident
17 happened with myself and Mr. Gephardt they decided to put me
18 with Mr. Gephardt the following day. I wrote that down as a
19 reference to remind myself of instead of moving me after
20 that incident, they didn't, they put me right back with him.

21 Q. Where were you before -- where were you on
22 Thursday the 20th?

23 A. Metal man, I was driving jitney driving throughout
24 the shop.

25 Q. The next you were on a six-ton machine?

1 A. Yes.

2 Q. And the plus three means?

3 A. It's their way of signifying or identifying the
4 machine 600 ton 3, 600 ton 4.

5 Q. DCPO stands for?

6 A. Die cast punch operator.

7 Q. Monday says, talked to Ben and Shelly.

8 A. Yes. Ben Hancock, Shelly Antolik.

9 Q. Larry Luce; is that correct?

10 A. Yep.

11 Q. Locker room?

12 A. Yes. As I was at my locker that day he made a
13 couple comments, upset, why I had to turn Gary in. It
14 wasn't going -- nothing was going to happen, I should just
15 drop it and let it go.

16 Q. Who was Larry Luce?

17 A. He was another -- he was a coworker. His locker
18 was right next to mine.

19 Q. What precisely did Larry say?

20 A. I can't remember verbatim word for word, but he
21 was more or less giving me a negative attitude about what I
22 did about me turning him in, more or less saying I should
23 let it go, you know, more or less discouraging me. I didn't
24 appreciate it and I told him to stay away from me, stay out
25 of my face.

1 Q. He was not a supervisor, he was just a
2 co-employee?

3 A. Just a co-employee.

4 Q. Did you complain about Mr. Luce to anybody?

5 A. No, I left that be that.

6 Q. This looks like Tuesday, 25th, Jamal.

7 A. Shields.

8 Q. It doesn't say Shields here. It says Jamal had
9 meeting with Bible, Lindsley and relief. Were you in that
10 meeting?

11 A. No. I witnessed Jamal being very upset. He had
12 gone to Greg Bible, the union president, and Pete Lindsley,
13 which is our union steward, about the relief situation.
14 About how certain people, being himself, when you call for a
15 relief weren't getting it, even another black employee and
16 he was complaining about when he called for relief it wasn't
17 coming. He wasn't getting it. He wasn't satisfied. He
18 voiced his opinion to Mr. Lindsley and Greg Bible. I saw
19 him very upset. I asked him what was going on and he
20 explained the situation to me.

21 Q. Were you involved in any meetings regarding the
22 issue of relief?

23 A. No, not that meeting.

24 Q. Any subsequent meetings?

25 A. I complained about the relief as far as calling

1 Gordy Phillips, as you see it is documented in there.

2 Q. Did you produce this to the EEOC too, the
3 notebook, Exhibit No. 5?

4 A. I believe so. I am trying to remember offhand
5 because I told her I had the notes. I'm trying to remember
6 if that's one of the ones she had. I had two of them, I
7 believe. The other one I'm trying to locate.

8 Q. Did anyone suggest to you that you start a
9 notebook?

10 A. Yes. That notebook was given to me actually by
11 someone that works at PHB.

12 Q. Who gave you the notebook?

13 A. Zel Maise (phonetic), which is a supervisor, a
14 foreman on line.

15 Q. What did Zel say to you when he gave you the
16 notebook?

17 A. I can't remember verbatim. He gave me the
18 notebook and told me to keep it and keep track of things
19 that are happening around me after I reported Gary Gephardt.
20 I was voicing my opinion about some of the things, how
21 people were acting, what people were saying as far as rumors
22 about things that were happening. And I had no way of
23 keeping track of things that were happening so fast, and he
24 gave me that notebook. I kept it with me.

25 Q. Did anything happen prior to the incident with

1 Gary Gephardt?

2 A. No.

3 Q. So that was the first incident that you considered
4 to be of a racial nature, and that's what prompted you to
5 start keeping the notebook?

6 A. Yes.

7 Q. Let's see here, on the page marked -- I can't tell
8 whether that is Tuesday the 25th, it must be. Can you read
9 that? I can't tell, is that Tuesday or Thursday?

10 A. Yes, Tuesday.

11 Q. Goes on to state, talked with Pete about incident
12 and discouragement of going up front. Who is Pete?

13 A. Pete Lindsley was the union steward, he is now a
14 company foreman.

15 Q. Some guys are not talking to me, avoiding eye and
16 verbal contact. When you say discouragement of going up
17 front, what are you referring to?

18 A. I had people saying I was doing the wrong thing,
19 that I was ruining the guy's career, that he had 30 years.
20 I told several people regardless of his years of service
21 what he did should not be tolerated.

22 Q. Who told you you were ruining the guy's career or
23 who otherwise discouraged you from taking that action?

24 A. It was the general -- it's hard for me to say
25 names, there were several employees.

1 Q. Tell me everyone you remember.

2 A. I would have to think because a lot of these guys
3 I didn't know personally, but as far as I one I can tell
4 you, for example, Shawn Hoyer, which is a friend of mine,
5 worked in the zinc department. He come over and he told me
6 that Craig Parker, which his father is a supervisor, Charley
7 Parker over in zinc, he's a metal man, they were pissed off
8 or upset that I was ruining somebody's career that had
9 30-some years, and that's not fair. What I told Shawn to go
10 back and tell Charley Parker -- I mean, Craig Parker and the
11 rest of them employees that did not understand the
12 situation, if your woman, your wife or daughter, or anyone
13 in your family was harassed, sexually assaulted, and since
14 it was the guy's first time and he had 30 years, does that
15 make it okay for them regardless of the situation. I don't
16 care how many years he has, it does not make it right. I
17 told him to think about that and get back to me.

18 Q. Had you been assaulted?

19 A. No.

20 Q. The comment we are talking about here by
21 Mr. Gephardt, was not stated to you, was it?

22 A. No.

23 Q. Did Shawn Hoyer tell you that; did he discourage
24 you from reporting the comment that you had heard about from
25 others?

1 A. No. Shawn Hoyer did not discourage me.

2 Q. Was he supportive?

3 A. Yes.

4 Q. What happens, he told you that some other unnamed
5 employees --

6 A. Craig Parker and unnamed employees on the other
7 side of the building in the zinc department.

8 Q. Thought that your reporting of Mr. Gephardt was
9 harming Mr. Genhardt's career and they weren't happy about
10 it?

11 A. Yes.

12 Q. And you told them --

13 A. To anyone of them, and I told him exactly what I
14 just quoted to you. I told him if any of them have a
15 problem with what I'm doing, to come talk to me about it.

16 Q. Did anyone come talk to you?

17 A. No.

18 Q. Just so I am clear, neither Mr. Hoyer's father nor
19 any of the employees --

20 A. Excuse me, not to interrupt, it wasn't Mr. Hoyer's
21 father, it was Craig Parker's father. Craig Parker is the
22 employee that made the comments to Shawn Hoyer. Craig
23 Parker's father is a foreman. His name is Charley Parker.
24 He's a foreman on the aluminum die cast side.

25 Q. What does he have to do with this?

1 A. Craig Parker is the one that made the comments to
2 Shawn Hoyer about discouragement.

3 Q. Craig Parker's father didn't make any comments?

4 A. No, no, no.

5 Q. Just so I'm clear, Craig Parker's father -- what's
6 his name?

7 A. Charley Parker.

8 Q. -- did not make any comments to you?

9 A. No.

10 Q. And in addition to that didn't make any comments
11 to anyone else?

12 A. No, he didn't.

13 Q. Instead Mr. Hoyer, Shawn Hoyer, told you that
14 Craig Parker had told him that some other employees, unnamed
15 employees, had expressed displeasure on your reporting
16 Mr. Gephardt because of their belief that it could hurt
17 Mr. Gephardt's career?

18 A. Yes.

19 Q. Who in particular stopped talking to you as
20 indicated in your notes?

21 A. Generally I work on the die cast side. You pass
22 20, 30 of you coworkers, basically most of the coworkers
23 that worked on my side in aluminum normally you'd get a
24 hello, how you doing, good afternoon. No. Lot of people
25 looking down, no eye contact, refuse to talk to me and it

1 was more or less I am not associating myself with this guy
2 after they heard what was going on.

3 Q. Well, you're telling me what you think they were
4 thinking. My question was, though --

5 A. It was generally they spoke to me every day, hey,
6 Cari, how you doing, what's going on, that stopped.

7 Q. Who though, who talked to you before and stopped
8 talking to you after, is what I'm asking?

9 A. It's hard for me to name all the coworkers.

10 Q. Do the best you can.

11 A. I don't remember most of their last names.

12 Q. Can you tell me the name of anyone who you
13 perceived --

14 A. It would be easier if you have a list of the guys
15 and I can point to the name because it is pretty -- I have
16 worked at three different places since I left there -- two.
17 It's pretty hard to recall every person's name. I left that
18 department before I left PHB so some of that I can't just --

19 Q. Would it be fair to say sitting here today you
20 can't give me the name of any person who --

21 A. Gordy Phillips for one.

22 Q. Anyone else? Name of any other person you believe
23 talked to you less or didn't make eye contact with you
24 after --

25 A. Pat Camp.

1 Q. Anyone else?

2 A. Larry Luce is one of them.

3 (Discussion held off the record.)

4 MR. LANZILLO: Let's have this conversation on the
5 record.

6 MR. CONNELLY: This would be the conversation we'd
7 have if we went out of the room. We can go out of
8 the room and talk, I am just making a suggestion
9 to him.

10 MR. LANZILLO: It's one thing to confer, but
11 there's a question pending and you're suggesting a
12 way to answer it.

13 MR. CONNELLY: No, I asked would it be easier. I
14 didn't tell him to answer it that way. I asked
15 him if it would be easier and then I'd suggest --
16 as a matter of fact, I will suggest on the record
17 it may be easier for him to name the people that
18 continued to speak to him and the rest would be
19 the ones that didn't.

20 MR. LANZILLO: I'd rather stick with my question.

21 MR. CONNELLY: Fine. That's just a suggestion.

22 Q. My question is: The names of individuals that you
23 can recall who you perceived did not talk to you after you
24 complained about the comment attributed to Gary Gephardt.

25 A. Those are the names I can give you at this time.

1 There are other several employees that in passing when I
2 come in at 2:30 would work first shift. For me not to work
3 first shift I don't know most of these people's names, but
4 generally would normally greet you as you are walking in.
5 That stopped. I just get blank stares or stare downs or
6 turn aways. It is hard for me to produce their names to you
7 when most of the names I know them just in generally seeing
8 them in passing and giving a nod or a wave hello.

9 Q. You didn't record any of those names in your
10 notebook?

11 A. If I recorded them, I would be able to give them
12 to you.

13 Q. I'm looking here, and correct me if I'm wrong, you
14 didn't record the names of anyone who you thought was no
15 longer talking to you, correct?

16 A. At that time, no, I didn't think I needed to write
17 that down.

18 Q. These people that you did name Gordy Phillips, Pat
19 Camp and Larry Luce, did they say anything to you about your
20 reporting of Gary Gephardt? You mentioned Larry Luce, but
21 these other fellows did they say anything to you about that
22 or did Luce say anything else that you haven't told me
23 already?

24 A. No.

25 Q. It says talk to human resources. This is on

1 the -- still under Tuesday, 25th, it's on the next page.
2 Just says talk to human resources -- I'm sorry, human
3 relations. Do you know what that's about, what that
4 notation signifies?

5 A. I went down to the courthouse and talked to human
6 relations.

7 Q. What did they tell you?

8 A. To fill out a questionnaire.

9 Q. Did you do that?

10 A. Yes.

11 Q. So you went to the human relations' office and
12 filled out some sort of a questionnaire?

13 A. Yes.

14 Q. And did you keep a copy of it?

15 A. No.

16 Q. When you say the courthouse, do you remember
17 exactly what office?

18 A. It is now closed, it was Mr. Damper. Those
19 files -- when they closed, everything that I filled out
20 there was sent to the EEOC, I believe when that office was
21 closed.

22 Q. Do you remember Mr. Damper's first name?

23 MR. CONNELLY: Willie.

24 Q. Willie Damper?

25 A. Yes.

1 MR. CONNELLY: Off the record.

2 (Discussion off the record.)

3 Q. Did you fill out any other paperwork while you
4 were at the human relations' office?

5 A. I can't recall everything I filled out.

6 Q. It says, Ron feels I don't know what I want to do,
7 says he doesn't think Gephardt should be fired -- that's?

8 A. Ben.

9 Q. Oh, that's Ben?

10 A. Yes. The JS signifies Jamal Shields.

11 Q. Oh, that's what Jamal Shields told you Ben said?

12 A. Jamal apparently was up front in human resources,
13 he came out and he asked me what was I going to do about the
14 Gephardt situation. And I asked him what was he referring
15 to. He said he was up front and Ben Hancock told him I
16 don't really seem sure if I wanted to pursue it or what I
17 really wanted to do. I don't feel that was something Ben
18 should have been talking about with other employees. Ben
19 asked me in a meeting with him what do I think -- what do I
20 think should happen to Gary. And I told him, that's not my
21 job, that's his job. He wanted me to get back to him on
22 what I think should have happened to him.

23 Q. Did Jamal tell you how he became to be in a
24 conversation with Mr. Hancock regarding the topic?

25 A. No.

1 Q. What I'm looking at here in the notebook, this is
2 a statement or paraphrase of a statement that Jamal Shields
3 attributed to Mr. Hancock, right?

4 A. Yes.

5 Q. This is not your recording of any conversation you
6 had with Mr. Hancock?

7 A. No.

8 Q. Monday, March 3 talked to Bible, no response from
9 BH still, Ben Hancock?

10 A. (Witness moved head up and down.) Yes.

11 Q. Walked past me repeatedly --

12 A. Gary Gephardt.

13 Q. Gary Gephardt walked past you repeatedly. On
14 Monday, March 3rd GP.

15 A. Gordy Phillips.

16 Q. Comment to R --

17 A. Ron Sharp.

18 Q. Sharp. J. Lewis on 500 plus 3 after dinner. What
19 does that signify?

20 A. That's the incident that Gordy made the comment,
21 let's see how fast I am.

22 Q. Okay. We talked about that during the last part
23 of your deposition.

24 A. Yes.

25 Q. On the back of that page it says, 4:30 asked

1 for -- is that travel?

2 A. Travelers. Travelers are job tickets that when
3 you complete a box of parts or a tub of parts you have to
4 fill out a traveler to send the destination to the next
5 department signifying you have to sign off that they are
6 quality checked, certain amount. And when each job is
7 finished, you have to put a traveler in the box. It's the
8 supervisor's job to give you those travelers when you don't
9 have any anymore. They print them out and bring them to
10 you.

11 That's signifying that day when I explained to Ron
12 Sayers how Gordy was not responding to me for him to start
13 watching and I was going to write it down, what time I
14 called him for relief and for travelers and I was going to
15 prove it to him that he was not responding to my calls now.
16 I let Ron know that. I showed that to Ron Sayers, that very
17 document you are looking at, to prove it to him after I told
18 him to watch.

19 Q. So you wrote down 4:30 asked for travel.

20 A. Travelers.

21 Q. Okay. Here it just says travel, but that
22 signifies travelers?

23 A. Yes.

24 Q. Then the next thing below that says 10:00 p.m.
25 paged Gordy 6:30, 9:00 p.m -- excuse me, 6:30, 9:00, 10:10,

1 came by, didn't stop. Were you talking about Gordy didn't
2 stop?

3 A. Yes.

4 Q. Did you say, hey, Gordy?

5 A. (Witness moved head up and down.)

6 Q. What did he say?

7 A. Yes. Gordy kept walking. I had paged him, and
8 paged him repeatedly. He'd walk right past me, go help the
9 next person that would page him and the person next on the
10 other machine. He even stopped and had a conversation with
11 someone standing next to me, but he did not stop to talk to
12 me or ask me what I had been paging him for. He acted like
13 he was totally unaware.

14 Q. 10:20 talked to M. Holden on 400 plus 7?

15 A. Yes.

16 Q. Five to ten minutes, what's that?

17 A. When Gordy came back, instead of stopping to ask
18 me why have you been paging me he stopped at the machine
19 five feet from me, stood there and talked to Mark Holden,
20 who was working beside me, for five to ten minutes. He saw
21 me standing there. After standing there waiting for him to
22 finish his conversation instead of coming to me he went into
23 his booth, which I was working directly in front of, grabbed
24 his thermos and went home for the evening. That's when I
25 called Ron and I told Ron, here it is, here's what I have

1 been explaining to you all week.

2 Q. When Gordy went by, did you try to talk to him?

3 A. I tried to talk to Gordy every time he went by.
4 Gordy walked past me as if I was not standing there and
5 totally ignore me. I'm working in front of his office, his
6 booth, the whole shift.

7 Q. 10:25 paged Ron Sayers, did Ron respond?

8 A. Yes.

9 Q. Says T. Gresh, G-R --

10 A. Terry Gresh.

11 Q. G-R-E-S-H?

12 A. Yes.

13 Q. Who is that?

14 A. Coworker who was working beside me.

15 Q. Is he still employed at --

16 A. Yes, he is in the wash.

17 Q. Did he witness this?

18 A. Yes.

19 Q. When is the last time you spoke with Mr. Gresh?

20 A. Back in July when I was last employed there. Mark
21 Holden is also a witness to this event. His name is on
22 there also, H-O-L-D-E-N.

23 Q. Is he still employed with PHB?

24 A. I believe so. When I was last employed there he
25 was.

1 Q. Next page says human relations has a telephone
2 number C. House, C, as in cat, period, H-O-U-S-E.

3 A. Courthouse.

4 Q. Steel workers 455-1337, has some other telephone
5 numbers, French Street.

6 A. Yes, main headquarters.

7 Q. Why are these numbers here?

8 A. 'Cuz those are numbers that I needed to have for
9 me to call.

10 Q. Was that relating to the problem with Gephardt or
11 Gordy Phillips?

12 A. I wanted to talk to the main steel workers.

13 Q. Did you?

14 A. Regarding that incident I never really got a hold
15 of anyone to handle the situation.

16 Q. February 20, Thursday, says incident. What is
17 that?

18 A. Pardon me?

19 Q. It says February 20 incident.

20 A. That's when it happened with Gephardt.

21 Q. That's still the Gephardt incident?

22 A. Yes.

23 Q. Wednesday, March 5th, 500 plus 3, that's the
24 machine you are on?

25 A. Right in front of Gordy Phillips' office.

1 Q. Still GP doesn't say a thing, normally he would.
2 Totally ignores when changing J, that's a capital J.

3 A. Julian date.

4 Q. Julian date on P press.

5 A. Punch press.

6 Q. What are you talking about here?

7 A. On my punch press there's a stamp that signifies
8 the date the part was produced. The foreman normally would
9 change that at the beginning of the shift before you start
10 producing parts. That was the document that Gordy was
11 having a problem with what happened with me reporting
12 Gephardt. To change my Julian date Gordy has to come as
13 close as I am to Jeff. He would normally, before the
14 incident, speak hello, hi, how you doing, cheerful voice.
15 Instead I'm not there. He walks past me as if I'm a ghost,
16 I'm not there. He reaches in, does what he needs to do,
17 does not look at me, looks away, walks away.

18 Q. What would you say to him?

19 A. I would say, how are you. We'd exchange hellos,
20 how are you, what's going on.

21 Q. After he stopped talking to you --

22 A. I stopped. I did not want to provoke anything so
23 I kept my mouth shut.

24 Q. He would come up, change the date on your press,
25 he wouldn't speak to you and you wouldn't speak to him?

1 A. I was not going to -- if that's the way he felt
2 about what I did, I kept my mouth shut and was not saying
3 anything to anyone.

4 Q. I want to make sure I am clear. He would come up,
5 he would change the date on your press, he wouldn't speak to
6 you and you wouldn't speak to him?

7 A. Yes.

8 Q. Thursday, 3-6. I guess it's March 6, 500 plus 3,
9 that's again the press machine?

10 A. The machine.

11 Q. BP up higher than ever put on stronger BP meds.

12 A. Blood pressure.

13 Q. Do you remember what medication you were placed
14 on.

15 A. Lotrel.

16 Q. Had you been on blood pressure medication prior to
17 March 6?

18 A. Yeah. They had me on something lower, Norvasc.

19 Q. How long had you been Norvas (sic)?

20 MR. CONNELLY: Norvasc.

21 A. I'm not sure, not long.

22 Q. When were you first diagnosed with hypertension?

23 A. I'm not sure. It was recently, around that time.

24 Q. Was it before -- were you diagnosed before or
25 after your encounter with Mr. Gephardt?

1 A. I believe it was before.

2 Q. That's a bad question. It wasn't an encounter
3 with Mr. Gephardt. Were you diagnosed with hypertension
4 before or after you learned about Mr. Gephardt's we-them
5 comment?

6 A. Prior to.

7 Q. Says 3:30, GG walked past 500 plus 2 as if to be
8 looking for something or someone.

9 A. Gary Gephardt.

10 Q. He walked past -- is that your machine?

11 A. I was right next to it. Stopped --

12 Q. Looked around as if he was looking for something
13 or someone.

14 A. Yes. In my line of eye contact where I was at.

15 Q. And then moved on?

16 A. Look towards me, looked around and started walking
17 away.

18 Q. Anything else about that incident?

19 A. No, that is something he started doing quite
20 frequently after I was moved from his area, but I was then
21 moved to Gordy's area where he started frequently coming
22 over to stop in.

23 Q. Says, M. Holden spraying, witness.

24 A. Mark Holden was spraying the machine, which is two
25 people working on the same machine. He sprays the machine

1 and as the die opens I get the parts from the other side.
2 He was working with me at the time and I asked him did he
3 notice -- I walked over and I said did you see Gary come
4 over here because I'm not imagining this and when I report
5 it to Ron I want someone else to be able to say, yeah, he is
6 over here walking around making sure I see him and he's
7 coming over here where he shouldn't be. When that happened,
8 I went to Mark just to make sure, and I told him, I am
9 writing this down and I'm writing you down as a witness.

10 Q. I want to make sure as to what happened here.
11 Gary Gephardt came -- I'm reading from your notes -- he came
12 over around your machine.

13 A. Um-hmm.

14 Q. As if to be looking for something or someone, and
15 you indicated he looked around, didn't say anything to you
16 and then moved on?

17 A. Yes.

18 Q. 5:25 in office with G.

19 A. Gordy Phillips.

20 Q. GP, paren, Gary G, close paren, having another
21 one.

22 A. Of their daily discussions. You stopped reading,
23 you said having another one.

24 Q. That's all it says, I think. Tell me if I'm
25 wrong. Oh, okay. Actually what it says here is 5:25 in

1 office with Gary -- or GP, Gordy Phillips, paren, Gary G,
2 close paren, having another one. Then there is a next page
3 there's a line says, March 21, \$31 AP, 14, dash 18 T-H.

4 A. That had nothing do with what I was writing,
5 continue my sentence --

6 Q. Go ahead?

7 A. -- on the rest of the page.

8 Q. But I am reading it correctly, am I not?

9 A. (Witness moved head up and down.)

10 Q. You're nodding your head yes?

11 A. Yes.

12 Q. Then there is another line and then below that it
13 says, of their daily discussions across from me at 500 plus
14 2. So it's 5:25 at night in the evening, correct?

15 A. No.

16 Q. What is 5:25?

17 A. Oh, yes. I didn't know what you were reading. I
18 thought you were reading dates when you said 525 I didn't
19 know if you meant --

20 Q. That would be in the evening then, Mr. Goodwine?

21 A. Yes.

22 Q. This is what you are observing, right?

23 A. Yes.

24 Q. What you see is Gordy Phillips and Gary Gephardt
25 and they are in Gordy's office?

1 A. Yes.

2 Q. That happened to be across from the machine where
3 you were working?

4 A. Directly, straight in line. The window that they
5 sit in with their feet up like this and looking directly out
6 the window, straight in my eyesight is what I have to see
7 the whole time I'm working.

8 Q. Just to make sure, because there is this
9 intervening notation, let me make sure I'm reading this
10 correctly. 5:25 in office with GP, paren, Gary G, close
11 paren, having another one of their daily discussions across
12 from me at 500 plus 2.

13 A. Yes.

14 Q. This is inside Mr. Phillips' office, correct?

15 A. Yes. The discussions were happening right
16 directly in front of me and right next to me, 500 ton 2.

17 Q. Did you hear what they were talking about?

18 A. I can't hear from that far away when you're
19 wearing ear plugs and you have machinery going on around
20 you.

21 Q. Is that Aunt Aggie's?

22 A. That's just my aunt's old phone number written in
23 there.

24 Q. There are some drawings here, some sketches with
25 dimensions.

1 A. That has nothing to do with PHB, none of that.

2 Q. Next page there appears to be unrelated notations,
3 X equals shows what side of the duct inside or out. What is
4 that all about?

5 A. I started doing that recently for my sheet metal.

6 Q. Your sheet metal work?

7 A. Yes.

8 Q. Am I correct then the rest of the notations in the
9 notebook up to what we've covered have nothing to do with
10 PHB?

11 A. Correct.

12 MR. LANZILLO: If it's all right with you, Jeff,
13 what I will do is I'll have this photocopied, make
14 a copy for you and return the original to you for
15 Mr. Goodwine.

16 MR. CONNELLY: That will be fine.

17 MR. LANZILLO: I ask that you keep the original.

18 MR. CONNELLY: Sure.

19 MR. LANZILLO: I believe there was some indication
20 when we last got together that there might be some
21 other logs or journals, if you find those please
22 notify me.

23 MR. CONNELLY: The only notes were in the EEOC
24 file, which you have, but I -- and I'll look
25 again, but I have looked twice and I haven't found

1 any. So probably somewhere, if it is around, if
2 we have it.

3 Q. Let me go back to where we left off when we were
4 last here for your deposition. Mr. Goodwine, I was asking
5 you about an exchange you had with Mr. Yacobozzi. I believe
6 you were on light or restricted duty at the time, this is
7 when you were working in the toolroom, tool crib.

8 A. Yes.

9 Q. He had you degreasing monitors, and you explained
10 to me the whole exchange between you and Mr. Yacobozzi
11 involving Ron Sayers. We do not have to go back through
12 that again, but I just want to give you that as a point of
13 reference for the next couple of questions.

14 You had indicated that you told, I believe it was
15 Mr. Sayers or maybe it was Mr. Yacobozzi, that you were
16 going to contact Ben Hancock in human resources that coming
17 Monday, first thing that coming Monday. Let's pick up at
18 that point; did you do that?

19 A. Yes.

20 Q. I'm sorry, before we move on. The dates in this
21 notebook, February 20th, I'm going back to Exhibit 5, I want
22 to make sure I cover this. Thursday the 25th, March 3rd,
23 all of the dates in this notebook, are these '03 or '04
24 dates?

25 A. '03.

1 Q. Everything in here is 2003?

2 A. Yes.

3 Q. So going back to the exchange with Mr. Yacobozzi
4 involving Ron Sayers. Monday comes around, do you talk to
5 Mr. Hancock?

6 A. Yes. I called Mr. Hancock that morning and
7 explained to him what happened Friday. And he said he will
8 talk to Mr. Hilbert and he'll have an answer for me by the
9 time I report in at 3:00 that day.

10 Q. What happened next?

11 A. When I came in at 3:00, I hadn't yet heard from
12 Ben. I went in for my jobs duties into Ron Sayers'. I
13 asked Ron why he made me do what he made me do the previous
14 Friday. And he said that was something that him and
15 Mr. Yacobozzi had spoken about over the phone and he didn't
16 see that there was anything wrong with that.

17 He then asked me, well, what job was it that you
18 could have done over in the zinc side that Mr. Greg Bible
19 had for you to do inspecting parts. I said, yes, the job is
20 still there. He says, do you know where it is and I said,
21 yes. He said, let's walk over and take a look at the job
22 that you should have been doing Friday. We walked over. I
23 showed him the parts, he confirmed, said, okay, that's under
24 your restrictions you can do that job.

25 He says, let's go back into the office and we

1 will -- and I will decide what I'm going to have you do,
2 just hold on a minute. As I waited for him he came back out
3 with wash rags and degreaser and told me to start washing
4 monitors again.

5 Q. Did you do that?

6 A. Yes, I did. I told Ron that that was upsetting.
7 I was disappointed and I told him I was embarrassed, and
8 that what he was doing to me was embarrassing me and
9 demeaning me. He said that is what he is going to have me
10 do until he finds something else for me to do. I explained
11 to him, here's the job that I am supposed to be doing, I
12 showed you the job, why aren't I doing that job. He told me
13 to continue to wash monitors until he got back to me. So I
14 started washing monitors.

15 I called Greg Bible, I had him paged, which he
16 didn't answer. I paged Ben, didn't answer. So I went back
17 to continuing washing monitors. And Ron came out and Ron
18 said to me, I don't know what you're upset for. I'm sorry
19 you have to wash monitors, it's not my call. I asked him,
20 who the hell's call is it? Who else told you to make me
21 wash monitors? It is your call, and I told him, just get
22 away from me, leave me alone, get away from me. If you're
23 going to make me wash monitors, don't rub it in by coming
24 back over here and telling me, I'm not the one making you
25 wash monitors, I don't know what you are so upset about. I

1 just said, just leave me alone. I continued to wash the
2 monitors and in between that I stopped and tried to page
3 Greg Bible again and Ben.

4 Q. Do you know why Bible didn't respond?

5 A. I later found out, I am getting to that. I
6 continued to wash, I went back and waited for them to
7 answer, no one called the number back. I went back out and
8 continued to wash monitors and again Ron Sayers came over to
9 me and says, I don't know why you're upset, you need to
10 understand. I had it then.

11 I told him get the heck away from me, leave me
12 alone. I said, you don't get it. I said, you're
13 embarrassing me. You're demeaning me in front of my
14 coworkers. I said, my coworkers don't understand why I am
15 washing monitors. I said, I don't understand why I'm
16 washing monitors. I said, leave me alone. I took the
17 bottle of degreaser and I threw it on the floor, and I
18 walked out and I went up front to human resources to demand
19 to speak to Hilbert. And at that time I was told Hilbert,
20 Greg Bible and Ben were having a meeting and they were
21 waiting for me.

22 Q. What happened to the bottle of degreaser that you
23 threw?

24 A. I threw it on the floor.

25 Q. Did it break?

1 A. No, I don't know. I threw it down and told him I
2 had enough. He was intimidating me and provoking me to
3 getting upset, continually coming over to me while I washing
4 the monitors, knowing that I was already embarrassed being
5 degraded, and he kept nitpicking. He walked away, he came
6 back, walked away, came back. I asked him twice previous to
7 that, just leave me alone. If this is what you're going to
8 do, don't antagonize me and intimidate me and continue to
9 come back over and rub it in. I'm doing what you told me to
10 do. You know I don't like it, you know what you're doing
11 and you're going to continue to press the issue. Don't come
12 over and tell me you feel bad that you have to make me wash
13 monitors, you don't know why I'm upset. You know why I'm
14 upset. I told you why I'm upset.

15 Q. Let me make sure I understand why you are upset.
16 You were upset because you felt that there were other duties
17 within your physical restrictions and within your job
18 classifications that were -- I'm trying to think of the
19 right word here -- not demeaning.

20 A. It wasn't that I felt, there were jobs for me to
21 do. We had previously walked over and saw the job that I
22 should have been doing Friday that the union president had
23 instructed them that he wanted me to complete on Friday. We
24 went over that same job Monday, but instead of having me do
25 that job Ron made me wash monitors Monday. He made me wash

1 monitors Tuesday. He made me wash monitors Wednesday. I
2 washed monitors until there were not any monitors to wash.

3 Q. Okay. What did you do after you finished washing
4 the monitors?

5 A. I was put on the job that I should have been on
6 the previous days, but that was after a meeting with
7 Hilbert.

8 Q. That's Monday?

9 A. Monday.

10 Q. So on Monday you throw down the bottle of
11 degreaser, you walk over and you demand to see Hilbert and
12 Hancock?

13 A. I demanded to see Ben Hancock and Greg.

14 Q. I thought you also said you demanded to --

15 A. I wanted to talk to someone up front.

16 Q. Did you mention you demanded to see Bill Hilbert
17 as well?

18 A. I wanted to speak to him, yes -- to Shelly.

19 Q. You said that to Shelly that you wanted to --

20 A. Shelly Antolik.

21 Q. Bill Hilbert is the -- what is your understanding
22 of who Bill Hilbert is at the company?

23 A. Yes.

24 Q. He is the head of the company?

25 A. Yes.

1 Q. Did you get to see Bill Hilbert?

2 A. Yes.

3 Q. Tell me about that. That's the same day, that's
4 still Monday; is it still the morning?

5 A. No. I don't work morning, I work second shift.

6 Q. I'm sorry, it's after 3:00. You start at 3:00,
7 about what time did you see Bill?

8 A. I'm not sure offhand, but it was after 3:30,
9 before 5:00.

10 Q. Tell me what transpires in the meeting including
11 who was there, who was in the meeting with you in addition
12 to Mr. Hilbert.

13 A. Well, I was walked up to Bill Hilbert's office and
14 he was sitting there and he told me that I finally made it
15 up to the top. And I told him, but it's not the way I
16 wanted to come up to the top.

17 Q. Is it just the two of you at this point?

18 A. No.

19 Q. Who else is there?

20 A. Greg Bible and Ben Hancock.

21 Q. Tell me what happened.

22 A. Mr. Hilbert asked me about what was going on and I
23 explained to him that the whole situation with them making
24 me wash monitors was demeaning. It was to embarrass me. It
25 was to put me down. It was to make me feel low. I

1 explained to him, I said, I am up here right now because I
2 am going home. I'm going to take the points, I want you to
3 understand to save my job and to keep from being harassed.
4 I said, how much can a person take. I said, I've been
5 getting these things, this harassment shoved down my throat.
6 I said you can only put so much on a person's plate before
7 they had enough. I said, Ron is out there right now making
8 me wash monitors. I said, not only that, he's coming out
9 back and forth making comments to me. I said, and right now
10 I'm so upset I threw down the degreaser and I came up here.
11 I says, I'm going home. I said, you can give me points on
12 my record. I says, right now that doesn't even matter. I
13 said, I'm so upset I am telling you I have to go home. I
14 have to leave here because of this.

15 Q. All right. What did Mr. Hilbert say in response?

16 A. He asked me what can he do as far as what is going
17 on with me out on the floor. He asked me what are my views,
18 and I explained to him that the supervisors and foremen have
19 a problem with respecting individuals as men. They have a
20 problem with they want to demand respect but they don't want
21 to give it. They are not accountable, they don't want to be
22 held accountable for what they do or say. They think they
23 can say or get away with anything and do what they want.
24 And furthermore just explained to him I'm not going to be
25 pushed around. I am not going to stand for this type of

1 treatment by any individual, himself included.

2 Q. Okay. He asked you what was going on, what was
3 the problem.

4 A. Um-hmm.

5 Q. You explained it to him?

6 A. All right. He told me Ben had brought to him
7 about Ron and what happened Friday, and he was going to look
8 into the matter. And he more or less asked me my feelings
9 of what is going on with me. And I explained to him that
10 Ben Hancock has a problem with me, right in front of Ben,
11 and I told him I'm not afraid to tell you Ben has a problem
12 with me. Ben has not liked me ever since the appeal. I
13 have had problems with my insurance, my paycheck, Ben has
14 even brought me forward to fire me. I had an exit
15 interview.

16 Q. Let me stop you there, and we will come back to
17 the meeting. I want to pin down what you're talking about
18 with Ben. So you told -- in the meeting now you told Mr.
19 Hilbert that Ben Hancock even has a problem with you?

20 A. Yes. I said, he will not admit it to you, but I'm
21 man enough to say I know he does not like me and he has a
22 problem with me.

23 Q. You based that belief on you, I think you
24 mention --

25 A. Things he wrote in my unemployment appeal.

1 Q. Okay. What else?

2 A. On trying to fire me, giving me an exit interview,
3 on him losing numerous doctor slips. I was brought in with
4 Greg Bible to Ben's office previous to this for an exit
5 interview telling me that I was fired, that I had
6 accumulated so many points and he didn't know why I was off
7 from work for the past two weeks. I never called in or
8 reported to them that I was going to be off. And I said,
9 Ben, what are you talking about. We have no idea why you
10 haven't been here the last two weeks; you never called or
11 gave us a doctor slip. You have eight points, we have to
12 fire you. I said, that's funny, Ben, you signed the S&A
13 papers and faxed them to my doctor. I said, give me five
14 minutes and let me go to my vehicle's glove box and I will
15 produce the papers that Ben signed. All of a sudden, oh,
16 yeah, we found them. We must have misplaced them behind
17 here or there. I mean --

18 Q. You were never fired?

19 A. No, but I was in an exit interview. I was called
20 up front with the union president and I was told this is an
21 exit interview.

22 Q. They said we don't -- had you called in?

23 A. Yeah. You have to call in. You have to call in
24 or it's unreported. You have to call in prior to your
25 shift, but not only that, he faxed the papers. He signed

1 them, the S&A papers.

2 Q. You got it straightened out, you weren't fired?

3 A. No, I wasn't. But I am saying these types of
4 things --

5 Q. Is what you are saying -- I can tell what you're
6 saying -- you're saying that Ben Hancock must have done this
7 on purpose, that he was lying as far as having lost the
8 papers?

9 A. Yes, I believe so.

10 Q. Why do you believe that?

11 A. Ben has made comments for my appeal about when I
12 was on unemployment why should I get S&A when my car
13 insurance pays me. I shouldn't have to pay you when your
14 car insurance pays you. I said, that's what I pay insurance
15 for.

16 Q. What does that have to do whether he is telling
17 the truth at the time that you're getting this payroll issue
18 straightened out?

19 A. It's in the EEOC file, you'll find out they even
20 said Ben is a liar, he's a double talker, he changed his
21 story. His story has changed.

22 Q. I want to make sure I'm clear now, this is helpful
23 in assessing your objectivity and credibility. I will find
24 in the EEOC file documents saying that Mr. Hancock is a
25 liar, he's a double talker, changes his story.

1 A. I was told by the woman from EEOC that his story
2 has changed several times and he is a double talker. It may
3 not be in there quoted directly, but that is what I was
4 told. I don't trust him personally because employees -- you
5 can ask anyone, no one there -- none of the coworkers I
6 worked with has a good word for him.

7 Q. I am asking about you at this point. I want to
8 make sure I'm clear, as far as anything Ben Hancock would
9 say or do you would view that as suspect, right? You would
10 think there was probably and ulterior motive?

11 A. Yes.

12 Q. You said something about your paychecks.

13 A. I had problems with paychecks, insurance,
14 insurance not --

15 Q. Let's start with paychecks. What problems did you
16 have with your paychecks?

17 A. I had problems where I did not get paid for -- not
18 saying the paychecks for the 40 hours, but as far as one
19 instance my S&A paycheck.

20 Q. You thought it was wrong?

21 A. No. I didn't get paid for the time I was off on
22 S&A. It was denied by Ben because of a doctor slip. He
23 didn't honor the doctor slip from Dr. Brian Miller from
24 Battersby. What he did is -- it's in your notes as far as
25 when I was given a return date from my doctor. PHB was

1 given another return date, an earlier return date.

2 Q. By who?

3 A. From the same doctor. The paperwork he filled out
4 for the nurse had me coming back to work a week earlier than
5 the paperwork he had given me. Instead of them calling me,
6 I returned back to work according to the paperwork that was
7 given to me. When I returned to work, I was asked why
8 haven't you been here the past week. I showed them the
9 paperwork that I had from the doctor stating that today was
10 my return date. I was told, okay. They first charged me
11 the points on my attendance. And then after having a
12 meeting they decided they're going to take the points off,
13 but I am going to lose the pay for that week from the date
14 I'm not being compensated.

15 Q. Who is the they in that sentence?

16 A. Human resources.

17 Q. Is that Ben Hancock personally telling your that?

18 A. Ben Hancock and Shelly, that's who I had to deal
19 with for the S&A issues.

20 Q. What had happened is your doctor, your
21 chiropractor, Battersby Chiropractic, provided the company
22 with documentation saying that you would be back on a
23 certain date. And when you did not return on that date, the
24 company originally assessed you points for absenteeism. You
25 later came back and brought in some paperwork with a

1 different date, and the company withdrew the points but did
2 not recognize your S&A for that week; is that correct?

3 A. Yes.

4 Q. Did you grieve that?

5 A. I believe Greg Bible did. It is one of the issues
6 that I am not sure if it ever was even filed. Verbally he
7 was supposed to grieve these issues, but I have to go on
8 their word. But signing or seeing any paperwork on that
9 grievance, I have not seen it.

10 Q. You said that Mr. Hancock said some things in your
11 unemployment appeal that led you to believe that he has a,
12 quote, problem with you. Were those the comments you
13 related to me a little earlier about why should I have to
14 pay for your benefits when you have some sort of insurance
15 that covers it?

16 A. Yes.

17 Q. Is there anything else that he said in connection
18 with that appeal?

19 A. There were other things. I tried to get the
20 documents from that appeal that he wrote, actual statement
21 that he wrote, they cannot produce it for me because their
22 files have been moved because it was far back from 2000,
23 2001.

24 Q. So you had an unemployment claim back in 2000 or
25 2001, correct?

1 A. Yes.

2 Q. And what was the nature of the claim; what was
3 going on?

4 A. I was released to come back to work.

5 Q. Okay.

6 A. Actually Ben had spoken to my doctor, Mr. Brian
7 Miller, and he had arranged for me to come back to work per
8 the restrictions --

9 Q. All right.

10 A. -- they had verbally agreed and on paper written
11 restrictions for me to return to work. When the time came
12 for me to return to work, Ben said he had no work for me
13 under those restrictions that he had just previously agreed
14 to. He then told me and my doctor to change the
15 restrictions again, and he will consider returning me to
16 work. The doctor said once restrictions are set he can't go
17 and change them two weeks later after Ben decided he wasn't
18 going to honor the agreement he just made with the doctor.

19 Q. This is back in 2000 or 2001?

20 A. 2000.

21 Q. Do you know whether there was actual work within
22 the restrictions?

23 A. Yes. We had a work -- what do you call it --
24 light-duty program.

25 Q. I'm familiar with it.

1 A. So there was work, but I was told --

2 Q. Just because you have a light-duty program doesn't
3 mean that there's work available.

4 A. That's why there is a light-duty program. There
5 were people in at the time that had worse restrictions than
6 me that were working.

7 Q. Right. But if all the light-duty work is taken,
8 and they don't have any other position available in light
9 duty for you, what are they supposed to do with you?

10 A. That's why we have the light-duty program, they
11 are supposed to find something for you.

12 Q. Even if they don't have the work?

13 A. Well, you have to do something. So I was denied
14 work, and when you are denied work you are eligible for
15 unemployment compensation. That was appealed because they
16 tried to block that from me.

17 Q. Did you get unemployment compensation benefits?

18 A. After the appeal, we went to the appeal. But then
19 he wanted to deduct the S&A that they had to pay me from the
20 unemployment and we had to go back again.

21 Q. How was that worked out?

22 A. It worked out in my favor because S&A is not
23 deductible from unemployment because it is not a
24 remuneration of services. It's being paid by an insurance
25 company, not directly by PHB, can't be deducted because it's

1 not worker's comp, and that's what they found out.

2 Q. I note from your papers that you filed with the
3 EEOC and everything else in this case you haven't mentioned
4 that as a basis for claiming racial discrimination or
5 harassment. Am I correct that you did not believe nor do
6 you believe that Mr. Hancock was opposing your unemployment
7 compensation claim because of your race?

8 A. No.

9 Q. You thought he was wrong?

10 A. Yes.

11 Q. You thought he was unfair, but it was not and you
12 do not believe he was doing it because you are an
13 African-American?

14 A. No.

15 Q. You're not contending now, are you, that he was
16 opposing your unemployment because you are a black man, are
17 you?

18 A. I'm not sure, possibly. You don't know people
19 right away when you first meet them, it takes a while.

20 Q. I think we covered the issue with Mr. Hancock so
21 let's go back to the meeting with Mr. Hilbert. You are
22 saying to Mr. Hilbert, look, this Hancock guy has a problem
23 with me too. And what you're thinking of is the past
24 history going back --

25 A. I explained to Mr. Hilbert the history of myself

1 and Ben. Ben has went as far as after the unemployment
2 appeal failing -- in that same year failing to tell me that
3 I had a Christmas bonus check at PHB that I was supposed to
4 pick up and a Christmas turkey. Me being a new employee I
5 was note aware of this. I was told by payroll. When I came
6 in to pick that up, Mr. Hancock and along with the other
7 chairmen of PHB were all in a single file line handing you
8 your turkeys and shaking your hand. When it came to me,
9 Mr. Hancock got out of line and refused to shake my hand and
10 walked away.

11 Q. When was that?

12 A. 2000, December, the same time the appeals were
13 going on.

14 Q. Okay. Who witnessed -- I mean, did he just walk
15 away? Did you get up to him and he --

16 A. He was standing in line, all of them, shaking your
17 hand, Mr. Hilbert and the rest of the chairmen, and when it
18 got time for me he just put his arm down and turned away. I
19 just laughed.

20 Q. You perceived that to be a response to whatever
21 problems you guys had had in the unemployment compensation
22 proceeding?

23 A. Yes. You have to understand, I was told by the
24 union that that had never been challenged before and for me
25 winning that appeal that changed the whole way they had to

1 restructure the S&A because that was a new contract year
2 coming in 2001.

3 Q. What had not been challenged before?

4 A. A person receiving S&A and getting unemployment
5 because they had a work restriction light-duty program
6 usually the light-duty people are put on that program, they
7 are not told we don't have any work for you. So no one had
8 been, prior to me from what I was told, had received
9 unemployment and S&A and received both without any
10 deductions, that was the first. And Greg Bible and other
11 union members asked me, they wanted information on that
12 whole case because that was the first time it was challenged
13 and won.

14 Q. I'm sorry, prior to you had people received both
15 unemployment and S&A?

16 A. From my belief from Greg Bible no.

17 Q. So up until your case if someone was potentially
18 eligible for unemployment compensation and S&A they would
19 only get the unemployment compensation; that's your
20 understanding?

21 A. Yes.

22 Q. And when your circumstance arose they attempted to
23 apply that practice to you and you challenged it?

24 A. Yes.

25 Q. And you were successful?

1 A. Yes.

2 Q. And it was your understanding that that changed
3 kind of the rules the company had been following, and that
4 your belief now was that that upset Mr. Hancock?

5 A. That is what I was told by the union president
6 Greg Bible and Jay Smith, that being a new employee me
7 challenging those raised a lot of issues in the new contract
8 that S&A -- that something was going to have to be done with
9 the work program because of that.

10 Q. You were kind of the -- your S&A and your
11 unemployment comp was kind of the test case. You were the
12 first guy to challenge that. And not only did you challenge
13 it you won, and that caused a change in the way the contract
14 was handled in the future?

15 A. For the S&A, that is what I'm told. I am not sure
16 if that's -- I am the first, but that is my belief from what
17 I was told from Greg Bible and Jay Smith.

18 Q. It was your understanding that up until your case,
19 that regardless of whether you were a white employee, a
20 black employee, a Hispanic employee, whatever your race or
21 ethnicity, those claims were handled one way, and then after
22 your case regardless of the person's race or ethnicity they
23 had to be handled a different way because you had, in
24 effect, prompted a change in the rules or the way the
25 company looked at those programs?

1 A. Yes, yes.

2 Q. I want to make sure I understand. That whole
3 situation involving unemployment compensation and S&A
4 benefits, that had nothing to do with your race, that was a
5 question of you as a new employee challenging an old rule
6 that had been applied to everybody, and applied in a certain
7 way being successful, and after that it was applied in a
8 different way to everybody?

9 A. Yes.

10 Q. Now, let's go back to the meeting with Mr.
11 Hilbert, and just to orient ourselves on the record because
12 we are jumping between the year 2002 and 2001, and this
13 meeting with Mr. Hilbert which occurred when, Mr. Goodwine?

14 A. 2004.

15 Q. Do you remember the month approximately?

16 A. No.

17 Q. Do you think it was around February of '04?

18 A. Later.

19 Q. Later?

20 A. Wait, it's hard for me to say.

21 Q. What is the latest month it could have been, can
22 you tell me that?

23 A. I would have to say April or May, April or May.

24 Q. You told Mr. Hilbert you thought Mr. Hancock had a
25 problem with you?

1 A. Not to interrupt you, that meeting happened the
2 Monday previous to the incident with Yacobozzi, so that same
3 month.

4 Q. Okay.

5 A. It was that following Monday, so that would be
6 February, I believe.

7 Q. That's why I said -- so this meeting is, you think
8 in February and that appears to be right because the note
9 here -- I'm sorry, I apologize. I am correct, am I not,
10 that this whole exchange is not in Exhibit 5?

11 A. No.

12 Q. So you can disregard my comment about the note.
13 Your best recollection is it was in or around February of
14 2004, the Monday following the exchange you had with
15 Yacobozzi, that is when you were in to see Mr. Hilbert?

16 A. Yes.

17 Q. You told me about your comments concerning
18 Mr. Hancock, tell me what else you remember from that
19 meeting.

20 A. I explained to Mr. Hilbert the feeling on the
21 floor of myself and other coworkers of how when you come to
22 human resources there's a belief on the floor that you're
23 not going to get anything resolved. From past experiences
24 of other people I was told nothing is going to happen,
25 you're wasting your time going to the front, nothing was

1 going to be done. I explained to him that that is the
2 opinion of most people, but I came up front anyway because I
3 wanted results. I told him you are going to have a group of
4 people that believe they can't come to you for help, they
5 can't come to human resources for help. You're going to
6 have people out there hurting or possibly killing each other
7 because they know if they come up front it is going to take
8 forever to resolve issues. I explained to him, I says, I
9 came up front to prevent anything from happening. I said,
10 what did I get for doing the right thing? I says, I went by
11 every policy and every rule that you have in here as far as
12 discrimination. I did not retaliate, I do not argue back.
13 As many times as I've had things said or done to me as far
14 as these incidents I have not once said anything back to
15 them negative or attempted to. I report it to my steward.
16 I reported it to the union president. I reported it to
17 human resources. I said this is the price I pay for going
18 by the book. And I said, you like the stereotype, you
19 probably would have wanted me to take -- you probably would
20 have thought it would have been easier if I hit someone,
21 because then you would have fired me and the problem would
22 have been solved.

23 Q. This is what you're saying to Mr. Hilbert?

24 A. Yes.

25 Q. Did you believe that he would have preferred that

1 you punch someone?

2 A. It would have been -- and I explained to him I am
3 sure they thought it would have been easier if I would have
4 hit someone. They could have fired me and got rid of the
5 problem the same way they eventually fired Gary. That
6 doesn't solve the problem that you need to address
7 discrimination issues and problems out there. Getting rid
8 of people does not solve the problem.

9 Q. Well, did Mr. Hilbert ever say anything to you
10 that indicated that he wanted you to hit someone or that he
11 wanted to get rid of you?

12 A. No.

13 Q. That was just your assumption then, right?

14 A. Right, yes.

15 Q. Okay. What else did you or Mr. Hilbert or
16 Mr. Hancock or Mr. Bible say, kind of run me through it
17 chronologically everything else you remember.

18 A. I more or less explained to him that I was so
19 upset with what Ron was doing that when I left his office I
20 was going home. I was going to take the points on my
21 attendance and jeopardize my attendance just to not be
22 bothered anymore. I didn't want -- I told him I had enough.
23 When you ask a guy to leave you alone, you're already
24 putting me down, putting me under his thumb. And I said,
25 he's doing it because he knows he can. He wants me to say

1 something in return or get upset. I said, I had enough. I
2 am leaving. I am going home after this meeting. You can
3 mark it on the attendance. I am walking out of here to
4 avoid the situation. I am not going to be provoked into
5 firing back or getting upset. He's done enough. I asked
6 him to leave me alone three times, and he keeps coming back
7 making a comment so --

8 Q. And the comment you are talking about is when
9 Mr. Sayers came to you and said, look it wasn't my decision.
10 Was he apologetic?

11 A. I'm not sure. He said it's not my. Decision, I
12 asked him, well, whose is it? It was your decision Friday
13 when I called you. Did you call -- I asked him who called
14 you to make that decision. It was your decision, and I
15 basically told him, well, whose is it then? He couldn't
16 give me an answer. That's when he came back later on and
17 said, I don't know why you are so mad.

18 Q. Okay. Let's finish up this meeting with
19 Mr. Hilbert. Can you remember anything else that
20 Mr. Hilbert or Mr. Bible or Mr. Hancock said, I think you
21 told me a couple times what you said.

22 A. No. They had already been in there and they
23 basically -- Mr. Hilbert had asked me what can he do about
24 is there anything he can do to help me.

25 Q. Other than what you already told me, you don't

1 have to repeat what you told me, but did you tell him
2 anything?

3 A. I told him it's too late to help me, he should
4 have gotten involved with me when it first started and not
5 waited so long when I repeatedly called Ben in human
6 resources for answers of what is going on with this Gary
7 situation. I told him you shouldn't let -- you shouldn't
8 believe what Ben is telling you. You should have come to
9 the source. You should have come to me a long time ago and
10 asked me what is going on; how can you help me. I said, at
11 this point it is too late. I told him what you can do is
12 help the next person that's in this situation and get
13 involved in the beginning, don't wait a year later to ask
14 what can I do to help you. 'Cuz while you're sitting up
15 here in your office and you're figuring out what you should
16 do about a situation, I am still out there every day taking
17 the crap, taking the stuff that is going on, being
18 mistreated, being under the thumb, I said, while you're
19 sitting here making decisions.

20 You have choices. I said, you had choices. I do
21 not have any options. I had one option to do what I did. I
22 told him, I waited for them to do something about Gary. I
23 gave you enough time to do something about Gary. You chose
24 not to respond. You chose not to do anything or get back to
25 me about the situation. You left me one option to do what I

1 had to do.

2 Q. What did you have to do?

3 A. Human relations, to protect myself and my job.

4 Q. Did human relations take any action?

5 A. They were shut down, I believe their paperwork was
6 sent to the EEOC.

7 Q. I don't want to rehash because we will never get
8 this done, but it's your view that the company did nothing
9 in response to your concerns regarding Gary Gephardt?

10 A. Their response to me was they were not going to
11 fire him and suspending without pay for a week or two was
12 too harsh, that is what Ben Hancock said.

13 Q. Going back to the meeting, have you now told me
14 everything that you remember from that meeting with
15 Mr. Hilbert?

16 A. I believe so, 'cuz I had two meetings with
17 Mr. Hilbert.

18 Q. I will ask you about the other one here in a
19 moment. Did you leave that day as you indicated you went
20 home?

21 A. Yes, I did.

22 Q. Did you get attendance points?

23 A. Yes, I did.

24 Q. Did you grieve those points?

25 A. No, I didn't. What was the point? They knew why

1 I was going home, that I was being harassed by Ron, what's
2 the point of grieving. If they were going to not give me
3 the points, they would not have given me the points then.
4 Ben knew why I was leaving. He was sitting right there in
5 that meeting. They were the ones that put the points
6 on there. It wasn't like I didn't feel good or just wanted
7 to go home, he knew why I was leaving, so what's the point
8 of fighting it.

9 Q. It was your view that the comments that Mr. Sayers
10 had made to you constituted harassment?

11 A. Yes. With me being bent down trying to scrub and
12 degrease a monitor and you have a guy at six foot two or
13 three poking you in the back and standing over you asking
14 you --

15 MR. CONNELLY: Just answer his question.

16 A. Yes -- sorry.

17 MR. CONNELLY: That's okay. I know you get upset,
18 just answer the question briefly or to the point.

19 Q. You came back the next day?

20 A. Yes.

21 Q. The next workday. And am I correct, I think you
22 said earlier that you were assigned to degrease monitors for
23 two more days?

24 A. Yes.

25 Q. Let me see whether I have covered everything

1 before I move on to your claims for damages. Today and
2 earlier in your deposition on a prior Saturday we talked
3 about your being given a corrective action plan or being put
4 on the bad boy list, you felt that was discriminatory or
5 harassment?

6 A. Yes.

7 Q. You talked about the matters involving Gary
8 Gephardt, specifically the comment that he made to somebody
9 else about we have to make them work harder, the walking by
10 your workstation, correct?

11 A. Yes.

12 Q. And by the way, do you know when Gephardt was
13 fired, the date approximately? I can look it up.

14 A. It was after I received notice of the right to
15 sue, sometime in 2004, possibly February, March. I'm not
16 sure.

17 Q. We talked about work assignments, that you felt
18 work assignments were given out in an unfair or a
19 discriminatory manner. I know we got into detail about
20 that, but generally we covered that, correct?

21 A. Yes.

22 Q. In that regard I want to make sure I understand
23 the who on that. Who gave out the discriminatory work
24 assignments in your view?

25 A. Gordy.

1 Q. Gordy. Anyone else?

2 A. Ron.

3 Q. Ron?

4 A. Sayers.

5 Q. Sayers. Anyone else?

6 A. Those two as far as myself in my view.

7 Q. When did that occur, what period of time,

8 Mr. Goodwine?

9 A. That's hard to say, 2003, 2004.

10 Q. Do you remember about when it started in 2003 in
11 your view?

12 A. I can't pinpoint exactly.

13 Q. How long did it continue in '04?

14 A. Until I changed departments.

15 Q. When did you change departments?

16 A. I believe it was April, either the end of April or
17 beginning of May of 2004.

18 Q. At that point you did not feel you were being
19 placed on the harder machines because you were no longer
20 working under Mr. Phillips or Mr. Sayers?

21 A. I took a lesser paying job, no, I didn't.

22 Q. So my statement is correct then?

23 A. Yes.

24 Q. We talked about Bill Darnell and the comment about
25 the hole. Again, that was a comment -- your understanding

1 it was a comment made to someone else, not made to you?

2 A. Yes.

3 Q. What Mr. Darnel your supervisor?

4 A. No. I worked for Mr. Darnell one time and I was
5 maintenance utility, that was at the beginning of my
6 employment for approximately a couple months.

7 Q. So that would have been back in 2000 --

8 A. I believe it was 2000, 2001 I was maintenance
9 utility.

10 Q. At the time of the comment that Mr. Darnell
11 reportedly made about the hole, he had no supervisory
12 authority over you?

13 A. No.

14 Q. My statement is correct?

15 A. Yes.

16 Q. We talked about the situation with Yacobozzi. And
17 I am referring to that generally, the whole Sayers,
18 Yacobozzi, your discussions with Mr. Hilbert and others.

19 A. Yes.

20 Q. Is there anything else, any other facts or
21 incidents upon which you base your claim or belief that you
22 were harassed or discriminated other than the ones we
23 outlined here?

24 A. No.

25 Q. Are you currently treating with any physicians or

1 other health care providers?

2 A. As far as?

3 Q. Anything.

4 A. Yes.

5 Q. Who are you treating with?

6 A. Still Community Health Net for the high blood
7 pressure. I have an appointment Wednesday at 4:00 p.m. And
8 I'm treating with Dr. Miller at Battersby Chiropractic. I
9 had an appointment Thursday, past Thursday.

10 Q. Any other health care provider with whom you are
11 currently treating?

12 A. No.

13 Q. You had mentioned there was another meeting with
14 Mr. Hilbert?

15 A. Yes.

16 Q. Tell me about that other meeting with Mr. Hilbert.

17 A. I can't remember the exact date. I called your
18 office, the paralegal, it's all notated. Mr. Hilbert had
19 informed me he heard that I was going to quit PHB, and he
20 basically wanted to know why. I explained to him the
21 situation that I was in was a bad situation, that I didn't
22 want to work for PHB any longer under the circumstances of
23 the continuing retaliation for me filing the charges. I
24 explained to him that a person can only take so much, so
25 much, and I had enough. I needed -- it was my time, I

1 needed to go. And at that time he offered me another job --

2 Q. Okay.

3 A. -- in one of his other facilities. And I told him
4 I did not want to work for him ever again at any other
5 facility of his.

6 Q. Okay.

7 A. I explained to him that his office was stationed
8 right in the building that I was currently working and if he
9 couldn't have control over it and see what was going on in
10 his main building, there's no way I'm going to go to another
11 facility and get fired the same day because all his other
12 shops are nonunion. I wouldn't be protected and they are
13 lower paying, and I declined the offer.

14 Q. So your understanding is that Mr. Hilbert heard
15 that you were going to be quitting, resigning from the
16 company, came to you and asked you why, and you explained.
17 And then he asked if there was anything he could do and
18 offered you another job and you declined that?

19 A. Yes. And during that meeting, that was the
20 meeting, I believe to explain to me about his findings with
21 Ron making me wash the monitors and the Yacobozzi situation.

22 Q. What did he tell you?

23 A. He told me they -- he didn't give me the details
24 of their reprimand, but that they were wrong and it would
25 never happen again. I explained to him that it never should

1 have happened, and it shouldn't have happened as long as it
2 did.

3 Q. You mentioned continuing retaliation, what are you
4 talking about when you say continuing retaliation?

5 A. From the time I filed the charges the incidents
6 that occurred after February of 2003.

7 Q. Have we talked about all of those incidents?

8 A. Yes.

9 Q. So I am clear, there are no other incidents of
10 discrimination, harassment or retaliation that you have not
11 told me about already in your deposition?

12 A. Yes.

13 Q. Have you told me everything that you remember
14 regarding any conversations you had with Mr. Hilbert?

15 A. Yes.

16 Q. There's nothing else, no other conversations, no
17 other comments that you haven't told me, haven't described
18 here already?

19 A. No. If there is anything -- every time before I
20 went up front to speak to Mr. Hilbert I called my attorney
21 first to make sure that it is okay, and I left a message
22 with the paralegal to document the date and the time.

23 Q. When you said your attorney, you're motioning
24 to --

25 A. Jeff Connelly.

1 Q. During the conversations you had with Mr. Hilbert,
2 am I correct that he never said anything to you that you
3 considered to be discriminatory or retaliatory?

4 A. No.

5 Q. My statement is correct?

6 A. Yes.

7 Q. Do you smoke?

8 A. No.

9 Q. Have you ever?

10 A. No.

11 Q. Do you consume alcohol?

12 A. No. On occasion, holiday.

13 Q. Social type?

14 A. Not a beer drinker, don't have alcohol like in the
15 house.

16 Q. Other than prescription drugs, do you use any
17 other type of medication or narcotics?

18 A. No.

19 Q. These questions are not designed to offend you, I
20 ask that if you look at every transcript I have ever taken
21 of a deposition you will see these questions, they're
22 routine. Have you ever been arrested for a crime other than
23 like a minor traffic ticket?

24 A. Never.

25 Q. As far as medical or physical conditions or

1 injuries that caused you to miss work while at PHB, I think
2 we talked about back and shoulder pain arising out of some
3 motor vehicle accidents.

4 A. Yes.

5 Q. You have an old shoulder injury apparently; is
6 that correct?

7 A. Yes.

8 Q. Maybe I'm thinking -- did you break your
9 collarbone?

10 A. Yes.

11 Q. Did you ever miss work because of that injury?

12 A. No.

13 Q. I saw some reference in your medical records to an
14 incident where your daughter kind of jumped up on you and
15 her elbow hit you in the shoulder or the collarbone and you
16 had some problems. Did you miss work because of that?

17 A. I don't recall that.

18 Q. I read some references to some problems you had
19 after you closed a car door on your arm.

20 A. Yeah, I had the door blow close and I was grabbing
21 something.

22 Q. Oh, the wind caught the door and closed on your
23 arm?

24 A. Yeah, my arm was resting on the hood.

25 Q. Did you miss work as a result of that injury?

1 A. I believe so.

2 Q. You had a cyst of some nature on your wrist.

3 A. Yes.

4 Q. You missed some work in connection with that?

5 A. I believe I was just on restricted duty until it
6 subsided.

7 MR. LANZILLO: Off the record.

8 Q. And you talked about the incident where you had
9 the pot, you got some sort of a shock and you missed a day
10 or something for that; did you miss time?

11 A. I was sent -- the following Monday I was sent down
12 to the emergency room where that was the only time that I
13 missed while I was sitting there.

14 Q. Minor?

15 A. Yes.

16 Q. I assume you had occasional routine colds, flu
17 type things that might cause you to miss work?

18 A. Yes.

19 Q. Was there anything else that you can think of, any
20 other reason, condition, injury, problem, that caused you to
21 miss work while you were at PHB other than the ones we
22 generally talked about?

23 A. What do you mean? Can you rephrase that?

24 Q. You had some periods of when you were absent from
25 work.

1 A. Yes.

2 Q. And I am trying to match up your absences to items
3 in your medical records, but I don't know whether I have the
4 complete picture here. Other than the reasons we just
5 discussed, the motor vehicle accidents, the shoulder pain,
6 the door injury, were there any other reasons that you
7 missed work other than those that you can think of here
8 today?

9 A. Yes.

10 Q. Tell me what those are.

11 A. Really emotional ones. Things that were going on
12 that I feared. I feared while I was at work. I feared
13 going to work. I feared leaving work. It was out of my
14 element where as far as being out there in Fairview driving
15 at night. Having no phone signal that if something were to
16 happen nobody would know. I mean, I worried about going to
17 work. It made me sick to my stomach half the time before I
18 went to work. I had headaches before I went to work. I had
19 the headaches while I was at work. I mean, the whole time
20 I'm working I'm looking at the various 20 plus doors that
21 are all the way around the shop that open to corn fields, to
22 woods, to trees. Anybody can walk in and out of there.
23 They're not alarmed, they're not cameraed (sic), not locked,
24 yeah of course.

25 Q. So you missed work because of fear?

1 A. There were times, yes. I just couldn't take it.

2 Q. Let me ask you about the fear. What were you --
3 you talked about no phone signal, doors out to corn fields.

4 A. Fear of being shot.

5 Q. Did anyone ever threaten you, Mr. Woodard?

6 A. I'm not Mr. Woodard.

7 Q. Mr. Goodwine, my apologies.

8 A. No. I was told by other coworkers Gary is a
9 hunter, he hunts. He has a camp by someone who has a camp
10 near him and I would be worried because of retaliation of
11 him losing his job of 30-some years. And I expressed
12 that -- now that you brought that up, I expressed that fear
13 to Mr. Hilbert. At one of the meetings I expressed to
14 Mr. Hilbert he could be at a bar right now drinking and come
15 in here and shoot me.

16 And, yeah, I am worried about that because you
17 have 20 some doors that anybody can walk in. They just pull
18 in the parking lot, walk around the building and walk in the
19 door. There are so many doors that are left unlocked that
20 you can enter and exit throughout the shop all the way
21 around the building, and there are corn fields to the west,
22 there's woods and train tracks on the north of the building.
23 I said, yeah, and I'm working at night where these doors are
24 open and windows in the summertime. If somebody did want to
25 shoot you or do something they could, and it would take for

1 somebody to come back there to find you. You wouldn't be
2 able to yell for help if somebody did come, you'd never get
3 heard.

4 Q. Mr. Goodwine, let me make sure I am clear. No one
5 ever threatened you, no one ever accosted you, no one ever
6 used a racial slur to you or in your presence, no one ever
7 did anything to you to intimate that they had any violent
8 designs on you, correct?

9 A. Yes.

10 Q. And as far as the hypothetical situation that
11 Mr. Gephardt or someone else could come in and shoot you,
12 that would be true no matter where you are, right, if
13 someone decided that they had a personal grudge against you
14 and they wanted to come and shoot you, no matter where you
15 work or where you are, I mean that's something you face,
16 right?

17 A. Yes.

18 Q. But these fears of Mr. Gephardt coming to shoot
19 you, though, did that cause you to miss work? Did you not
20 come to work because you were afraid Mr. Gephardt --

21 A. There were times, yes. I caught -- basically I
22 was told I'm the reason he got fired, 30 some years.

23 Q. You wanted him fired earlier, though, didn't you?

24 A. No. I never asked for him to be fired and that's
25 in a statement from the union. I quoted -- it's quoted, I

1 never asked for him to be fired. Greg Bible has that quote
2 to the company. I asked for discipline and their action to
3 be taken place. And that wasn't -- like I said, the
4 decision wasn't mine. It's not my job to make those
5 decisions, that was their decision.

6 Q. All right. So fear of violence, you also
7 mentioned -- let me stop there. As far as your fears, did
8 you go to see any counselors, psychologists, psychiatrists?

9 A. I made appointments to. I consulted my nurse
10 practitioner Sally Scholl, who gave me two numbers to call.
11 And I called those numbers and left messages and they never
12 returned the call, Community Health or Community Health,
13 whatever, on the west side of the Erie was the number that I
14 was given to refer to. And the other number I didn't call
15 out of embarrassment, it's hard. I left a message, I didn't
16 get called back. It is hard.

17 Q. You have not actually consulted with any --

18 A. I called and left a message to the psychiatrist
19 like the voice mail said, and I never got a return call and
20 I didn't continue to call because of, one, it was already
21 embarrassing enough to call to have to talk to a counselor
22 about feelings and emotions.

23 Q. What was the name of the counselor?

24 A. I wasn't given a name. I was just given a number,
25 it was sent to a voice mail to whoever the practicing

1 psychiatrist or counselor was. Community Integration is the
2 place that I was given the number to.

3 Q. Who gave you that number, Sally Scholl?

4 A. Yes.

5 Q. I'm sorry, was there another number that you
6 called?

7 A. She gave me a paper with other numbers. And one
8 was through GECAC and I did not call because of my name and
9 my father working at GECAC for 30-some years that out of
10 embarrassment they would know who I am because I am his only
11 son and oldest child and I did not want people to know.

12 Q. You mentioned headaches, who did you see for the
13 headaches?

14 A. Sally, Dr. Miller, I explained to them about the
15 headaches and a lot of that was brought on -- Dr. Miller
16 said tension and stress.

17 Q. Dr. Miller is the chiropractor?

18 A. Yes.

19 Q. Sally Scholl was the nurse practitioner?

20 A. Yes.

21 Q. Anyone else that you saw for that?

22 A. No.

23 Q. We talked about headaches, talked about fears,
24 have we now talked about all of the physical problems that
25 you believe you have experienced as a result of

1 discrimination or retaliation at PHB?

2 A. Problems eating with lack of -- loss of appetite
3 and my weight has gone up, down, up, down just from body
4 chemistry just changing as a result of the stress and the
5 worrying.

6 Q. Has anyone diagnosed you with any type of
7 condition relating to your weight or your eating habits?

8 A. Everything I went to Sally is documented in her
9 medical records. She documented everything we talked about.

10 Q. You have seen those records?

11 A. No. I don't have a copy of them.

12 Q. But as far as anytime you would have sought
13 treatment for or complained about anything relating to
14 eating or appetite or weight loss or weight gain that would
15 have been at Community Health Net, Sally Scholl, and would
16 be reflected in those records, correct?

17 A. Yes.

18 Q. Were you ever put on any medication for anxiety?

19 A. No.

20 Q. Were you ever put on any medication for any
21 condition that you associated with your employment at PHB?

22 A. Lotrel.

23 Q. So you associate your high blood pressure with
24 your employment at PHB?

25 A. It is stated on the medical records work-related

1 filled out by my doctor, as far as from my conversations
2 with her and her note taking, that is what she diagnosed

3 Q. That's the nurse practitioner, right?

4 A. Yes.

5 Q. Any doctor ever told you that?

6 A. That was my doctor at the time.

7 Q. Does she have a medical degree?

8 A. You have to find out that out from her. I did not
9 ask to see their degrees.

10 Q. So we have high blood pressure medication you
11 believe that that was associated with your employment. Any
12 other medication at all that you believe or were told or
13 have any reason to believe is somehow related to your
14 employment at PHB?

15 A. No.

16 Q. Have we now talked about all of the physical,
17 mental -- let's stop there -- all the physical. Let's start
18 all over. Have we now talked about all the physical, mental
19 and emotional problems that you associate with your
20 employment at PHB?

21 A. I believe you asked me about the emotional the
22 last time. I'm not sure what you have from that.

23 Q. When we talk about emotional, I am talking about
24 your fears, is there anything other than your fears that you
25 consider to be --

1 A. Like I said, I have a problem with trusting
2 people. I have a problem with just the relationship thing
3 in general because I trusted them. I trusted them. I
4 worked there for almost five years. I have never been
5 involved in any situation like this before. I have worked
6 at other places, I mean, it is hard to trust people now.

7 Q. So you have a problem with trust.

8 A. I'm working at a new job now and I'm skeptical
9 about who I meet.

10 Q. What you do mean by that?

11 A. Who is a racist. I mean, who is -- you don't
12 know. I have a problem trusting people, it is just that
13 simple. I don't let any -- I don't get close to people
14 anymore, and that's normally not me. I haven't been myself.
15 I am normally one that likes to laugh and have -- and get
16 along with everybody. And I don't -- I don't put myself in
17 a social circle with people anymore. I have been by myself.
18 You can note it in there that I was eating lunch in the
19 locker room, I was not going to the cafeteria.

20 Q. Where's this, at PHB?

21 A. At PHB.

22 Q. Do you do that at G.E.?

23 A. Yeah. Right now, yeah.

24 Q. You eat in the locker room as opposed to the
25 cafeteria?

1 A. I eat in an area that's by myself.

2 Q. So fears, fears of violence, trust and
3 relationships, anything else that we haven't talked about?

4 A. No.

5 Q. Do you have any appointments to see any new
6 physicians or psychologists, counselors, psychiatrists?

7 A. No. I haven't had insurance in months.

8 Q. Do you have insurance now?

9 A. Yeah, but I don't have any cards or numbers. The
10 appointments that I just had I just had it without. I paid
11 the cash.

12 MR. LANZILLO: Thanks very much, Mr. Goodwine,
13 that's all the questions I have.

14 MR. CONNELLY: Cari, you have the opportunity to
15 review this before they make it official, if you
16 want, but I would suggest you just waive that.

17 THE WITNESS: That's fine.

18 (Examination concluded at 3:41 p.m.)

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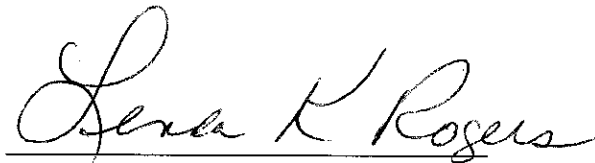
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C E R T I F I C A T I O N

I, Linda K. Rogers, Shorthand Reporter and
Commissioner of Deeds in and for the Commonwealth of
Pennsylvania, do hereby certify that I recorded
stenographically the proceedings herein at the time and
place noted in the heading hereof, and that the foregoing is
an accurate and complete transcript of same to the best of
my knowledge and belief.



Linda K. Rogers

Dated: February 21, 2005

Linda K. Rogers
Commonwealth Of Pennsylvania
Commissioner Of Deeds
My Commission Expires 11/06

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